

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA, *et al.*,)
Plaintiffs,)
v.)
CHIEF JUDGE GEORGE L. RUSSELL III,)
in his official capacity, *et al.*,)
Defendants.)
No. 1:25-cv-02029

**MOTION OF
AMERICA'S FUTURE
FOR LEAVE TO FILE BRIEF *AMICUS CURIAE* IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION OUT OF TIME**

On the grounds and for the reasons set forth below, movant, through undersigned counsel, pursuant to F.R.Civ.P. 7 and Local Rule 105.12(b) of the local rules of this Court, moves this Court for leave to file a brief *amicus curiae* in support of Plaintiffs' Motion for Preliminary Injunction and for leave to file it out of the time allowed by Local Rule 105.12(e).

1. Movant's Interest.

Movant America's Future is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code. It participates actively in the public policy process and has filed numerous *amicus curiae* briefs in federal and state courts on statutory and constitutional issues.

2. This Case Presents Issues of Great Importance.

This case raises significant questions regarding the authority of the district courts under federal law, including the scope of their jurisdiction in adjudicating immigration laws and disputes.

Movant's proposed *amicus curiae* brief submitted with this Motion provides the court with supplemental arguments and authorities to those which are contained in Plaintiff's Motion for Preliminary Injunction. The *amicus* brief addresses the Court's jurisdiction and authority with respect to habeas petitions brought in matters related to the Executive's enforcement of our nation's immigration laws. The brief also addresses additional reasons why Plaintiffs are entitled to injunctive relief.

Counsel for Plaintiffs have consented to this Motion and to the filing of the attached brief *amicus curiae*. Counsel for Defendants have not responded to movants' request for consent as of the filing of this motion. Furthermore, the *amicus* brief is within the page limit set by local rule 105.12(c).

Local rule 105.12(e) requires that motions for leave to submit *amicus* brief must be filed within 7 days after the principal brief of the party supported. Plaintiffs' Motion for Preliminary Injunction was filed on July 3, 2025, and this Court set a briefing schedule on July 7, 2025, directing Defendants to file a brief in opposition by today, July 21, 2025, and setting a hearing on Plaintiffs' motion during the week of August 11, 2025. Due to the press of other business — including filing a complaint in the Western District of Pennsylvania on Monday of last week, a reply brief in the Middle District of Florida on Tuesday, and an *amicus* brief in the Eleventh Circuit on Wednesday, counsel for *amicus* were not able to file this brief until

today. Plaintiffs consented to the filing of this *amicus* brief no later than today. Defendants have three weeks before the hearing in which to file a response to this *amicus* brief, or to address it orally at the hearing. Accordingly, due to the unusual nature of this case and the significance of the issues presented by it, counsel request that this Court allow the filing of the *amicus* brief outside of the time limit allowed by the local rules.

District courts have inherent power to grant leave to file briefs *amicus curiae*, as they often “provide helpful analysis of the law[,] they have a special interest in the subject matter of the suit....” *Bryant v. Better Business Bureau of Greater Maryland, Inc.*, 923 F.Supp. 720, 728 (D. Md. 1996). For the reasons stated above, it is believed, particularly in bringing to the attention of the Court important arguments and authorities not fully addressed by the parties, but based on three *amicus* briefs previously provided to the Supreme Court in the cases cited in the *amicus* brief, that this *amicus* brief will inform the Court’s effort to resolve the issues before it.

3. *Amicus Curiae* Support Plaintiffs’ Motion for Preliminary Injunction.

Amicus Curiae seek leave to submit the attached *amicus* brief in support of Plaintiffs’ Motion for Preliminary Injunction (ECF 14).

4. Whether a Party’s Counsel Authored the Brief in Whole or Part.

No party or counsel for a party authored this brief in whole or in part.

5. Whether a Party or Its Counsel Contributed Money to Fund Preparation and/or Submission of the Brief.

No person other than *Amicus Curiae*, its members, or its counsel made a monetary contribution to its preparation or submission.

Given the nationwide significance of this case, and its profound implications for all Americans, movant respectfully requests leave to file the accompanying brief *amicus curiae* in support of Plaintiffs' Motion for Preliminary Injunction.

Respectfully submitted,

/s Stephen D. Stamboulieh
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Dated: July 21, 2025